

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANTHONY BRIAN MALLGREN,

Petitioner,

-against-

NEW YORK CITY,

Respondent.

24-CV-10067 (LTS)

ORDER OF DISMISSAL

LAURA TAYLOR SWAIN, Chief United States District Judge:

By order dated February 5, 2025, the Court directed Petitioner, within thirty days, to submit a completed request to proceed *in forma pauperis* (“IFP application”) or pay the \$5.00 fee required to file a petition for a writ of *habeas corpus* in this court. That order specified that failure to comply would result in denial of the petition. Petitioner has not filed an IFP application or paid the fee. Accordingly, the petition is denied without prejudice. *See* 28 U.S.C. §§ 1914, 1915.

Because the petition at this time makes no substantial showing of a denial of a constitutional right, a certificate of appealability will not issue. *See* 28 U.S.C. § 2253.

The Court certifies under 28 U.S.C. § 1915(a)(3) that any appeal from this order would not be taken in good faith, and therefore IFP status is denied for the purpose of an appeal. *Cf. Coppedge v. United States*, 369 U.S. 438, 444-45 (1962) (holding that an appellant demonstrates good faith when he seeks review of a nonfrivolous issue).

The Court directs the Clerk of Court to enter judgment in this case.

SO ORDERED.

Dated: March 14, 2025
New York, New York

/s/ Laura Taylor Swain

LAURA TAYLOR SWAIN
Chief United States District Judge